

MESSAGE FROM THE GOVERNOR.

The Speaker laid before the House the following message from the Governor, received from the Senate today:

Governor's Office,
Austin, Texas, March 1, 1923.

To the Texas Senate, Thirty-eighth Legislature.

Gentlemen: I am returning herewith to you, with my disapproval and veto, Senate bill No. 278. This bill provides for the creation of the Ninety-sixth Judicial District Court, composed of Tarrant county.

First. We have at this time entirely too many district courts in Texas. A considerable number of our courts now in existence have but little to do. Certainly we should be slow to create new courts while many of those we already have do not have sufficient work to do. There is no private business enterprise anywhere in Texas which would employ additional help to do a particular kind of work while many of those already in the employ of the institution did not have enough work to do to occupy their time. The private institution would readjust matters so that the employes would be kept reasonably busy with the work assigned them. It is conservatively estimated that the running expenses, directly connected with and incident to the operation of a district court, are approximately \$25,000 a year. There are now pending in the Legislature some fifteen or more bills creating that number of new district courts in Texas. All these bills will probably pass and come to my desk for consideration. The proponents of each particular bill think that their court, above all courts, is an absolute necessity. Scarcely any of the respective districts need, if anything, more than temporary relief.

Second. For the purpose of giving temporary relief it is neither wise nor necessary to establish a permanent court. When a court has been once established it seems absolutely impossible at any time to abolish it; courts and public offices once created seem to run on forever.

Two bills now pending before the Legislature, one providing for exchange of benches and the other providing for five district courts for all Texas, will give, according to the judgment of those who have considered the question, neces-

sary relief, not only in a few particular cases in Texas, but throughout the entire State. We presume these two bills will pass both the House and the Senate within the next few days. These two contemplated laws, when put into operation, will, together, relieve both the civil and criminal dockets of Tarrant county.

Third. To say the least, the two proposed laws above mentioned would, in operation, give temporary relief to the district court docket of Tarrant county, and when the next regular session of the Legislature convenes, if it is found that this aid has not been sufficient to catch up with the work of the courts, then it will be the proper time for the State to go to the expense of creating another permanent district court for Tarrant county. The fact that there may be a large number of cases on a court docket does not necessarily mean that the courts need even temporary relief. Nearly all court dockets have many cases on them. This, however, does not indicate that the court is kept busy trying cases. All of us who have practiced law to any extent realize the truth of this statement. Tarrant county now has three district courts and an inquiry into the work turned out by these three courts would indicate that the lawyers who desired to have cases tried were not often prevented from doing so on account of court facilities. I was unofficially advised that one of the judges complained that he did not have enough work to keep him busy for the reason that it was difficult to get cases to try. It seems to me that temporary relief, as provided in the two bills above mentioned, should be first tried out. It is thought by many, both of the laity and of the legal profession in Fort Worth, that this additional court is not needed and that temporary relief at most, is all that could be desired.

Believing that it would be unwise and not in keeping with the principles of strict and rigid economy to create another permanent district court at Fort Worth just at this time, I am, guided by the best light that I now have, returning herewith to you, with my veto, this bill which seeks to establish another district court in Tarrant county.

Respectfully,
PAT M. NEFF,
Governor.